

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

Docket No. 91-1217-0173

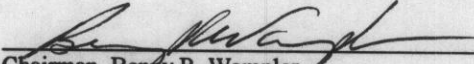
REPORT OF THE BOARD

NOTICE OF EXPIRATION/TERMINATION OF VIRGINIA GAS AND OIL BOARD (herein "Board") ORDER IN THE ABOVE STYLED CAUSE FOR THE POOLING OF INTERESTS IN OAKWOOD COALBED METHANE GAS FIELD DRILLING UNIT NO. U-29 LOCATED IN BIG VEIN TR. 41, KEEN MOUNTAIN QUADRANGLE, NEW GARDEN MAGISTERIAL DISTRICT, BUCHANAN COUNTY, VIRGINIA (the "Subject Lands" are more particularly described on Exhibit 'A', attached hereto and made a part hereof.

1. This Notice of Expiration/Termination is entered by the Board after hearing upon its own motion for the purpose of providing notice that the Pooling Order in the above-styled cause which is more particularly set forth and described in Paragraph 2(a) hereof expired and became terminated by its own terms on June 9, 1993, except for any cash sums becoming payable thereunder.
2. **Findings:** The Board finds that:
 - (a) In the above styled cause, the Board entered its order on June 9, 1992 (herein "Pooling Order") for the pooling of an 80-acre coalbed methane gas drilling unit known as the Oakwood Coalbed Methane Gas Field Drilling Unit No. U-29 which Drilling Unit is set forth and described in the plat attached hereto as Exhibit A (herein "Drilling Unit") The Pooling Order was recorded with the Clerk of the Circuit Court of Buchanan County, Virginia on June 9, 1992 in Deed Book 392 at Page 224. Paragraph 14 of the Pooling Order provided that the Unit Operator was to commence operations for the drilling of the well in the pooled drilling unit within 365 days from the date of the entry of the Pooling Order, i.e., by June 9, 1993. The Pooling Order further provided that if the Unit Operator did not commence operations for the drilling of said well within 365 days from the entry of the Pooling Order, then the Pooling Order would terminate, except for any cash sums becoming payable thereunder.
 - (b) By Board Order entered February 10, 1994 and recorded February 24, 1994 with the Clerk of the Circuit Court of Buchanan County in Deed Book 418, Page 731, the Pooling Order was modified effective as of the end of the day September 30, 1993 to transfer operations of the Drilling Unit from Oxy USA, Inc. to CONSOL Inc. after which date CONSOL Inc. became the Unit Operator as referred to herein.
 - (c) The Unit Operator did not request nor did the Board order an extension of the Termination Date. The Unit Operator has not as of the date hereof commenced operations for the drilling the Well; therefore, on June 9, 1993 the Pooling Order terminated by its own terms, except for any cash sums which became due thereunder.
3. **Order:** By this Order which is to be recorded with the Clerk of the Circuit Court of Buchanan County, Virginia, the Board gives notice that the Pooling Order expired and terminated by its own terms on June 9, 1993, except for any sums becoming payable thereunder. Notwithstanding the fact that the Pooling Order heretofore expired and terminated on June 9, 1993, any funds heretofore paid by the Unit Operator into the escrow account created by the Pooling Order shall be held by the Escrow Agent for the exclusive use of, and sole benefit of the persons entitled thereto until such funds can be paid to such person(s) or until the Escrow Agent relinquishes such funds as required by law or pursuant to Order of the Board in accordance with Va. Code 45.1-361.21.D.
4. **Mailing of Order:** The Unit Operator under the captioned order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed within seven (7) days from the date of receipt of this Order to each person whose interest or claim was pooled by the Pooling Order and whose interest or claim was subject to escrow whose address is known.

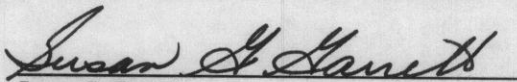
5. **Conclusion:** Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Done and executed this 23rd day of October, 1997, by the Chairman of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

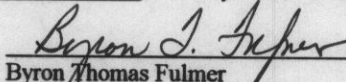
STATE OF VIRGINIA)
COUNTY OF WISE)

Acknowledged on this 23rd day of October, 1997, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Susan G. Garrett
Notary Public

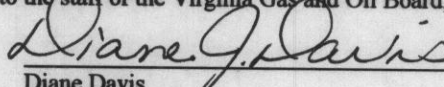
My Commission expires 7/31/98

Done and performed this 23rd day of October, 1997 by Order of this Board.

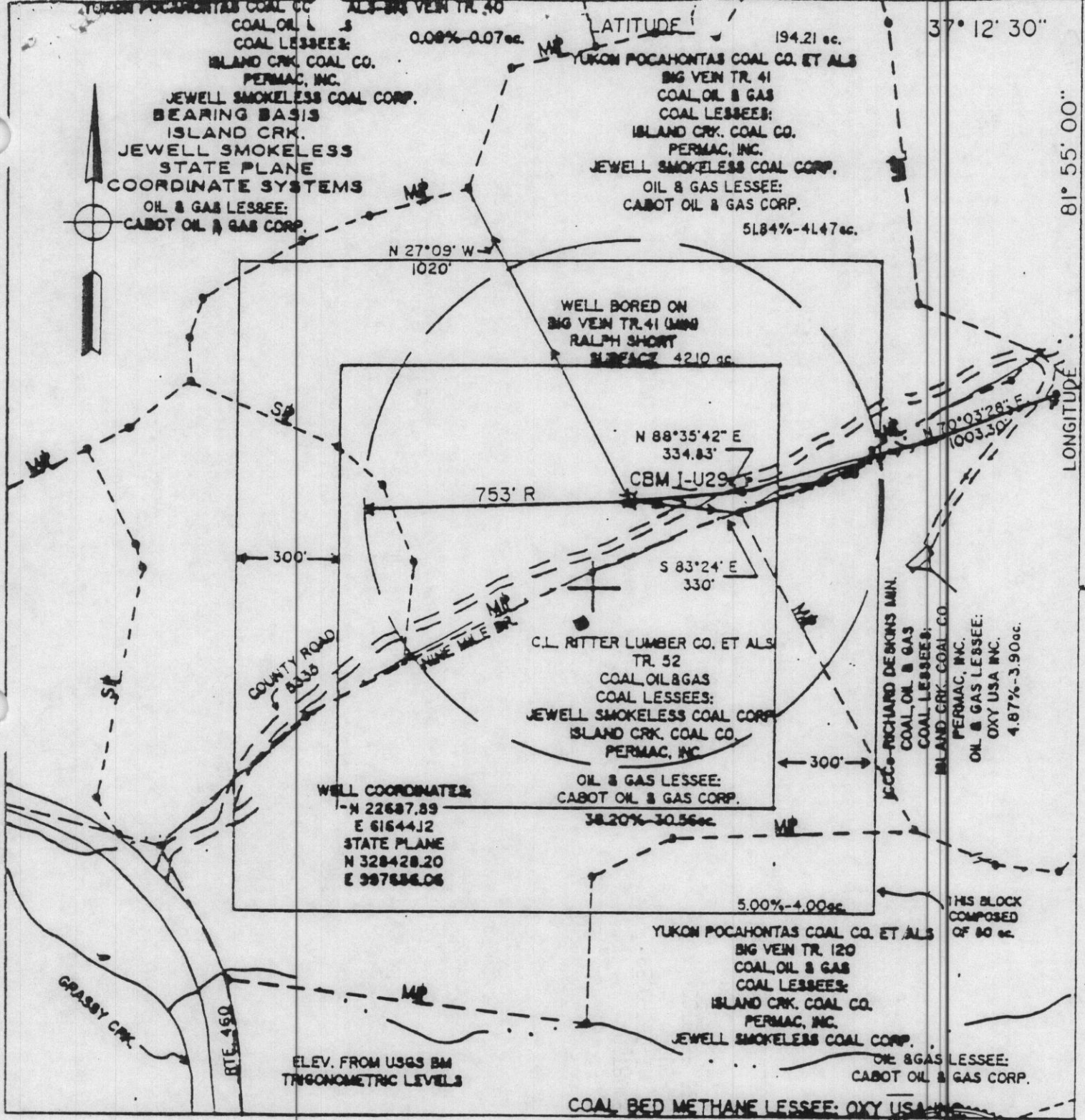

Byron Thomas Fulmer
Principal Executive to the Staff
Of the Virginia Gas and Oil Board

STATE OF VIRGINIA)
COUNTY OF WASHINGTON)

Acknowledged on this 23rd day of October, 1997, personally appeared before me a notary public in and for the Commonwealth of Virginia, appeared Byron Thomas Fulmer, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


Diane Davis
Notary Public

My Commission expires 9/30/2001



WELL LOCATION PLAT

EXHIBIT "A"		WELL NAME and No.		COMMONWEALTH OF VIRGINIA	
VGOB-91-1217-173		182510		GARDEN 129 RIGHT	
COMPANY OXY USA INC.		QUADRANGLE		KEEN MOUNTAIN	
TRACT No.	BIG VEIN TR. 41	ELEVATION	182510	SCALE: 1"=400'	DATE: 2687 10/10/97
COUNTY	BUCHANAN	DISTRICT	GARDEN		

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the office aforesaid and is, together with the certificate of acknowledgment annexed, admitted to record this 30th day of October, 1997, at 2:15 P.M. Deed Book No. 469 and Page No. 568. TESTE: James M. Bevins, Jr., Clerk. Returned this date to: Patricia L. Smith, Deputy Clerk.